

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 3, 5-7, 15, 18-28, and 30 have been withdrawn, claims 2, 4, 11, 12, 14, and 16 have been amended, and claims 31-40 have been added. Further, withdrawn claims 3 and 15 have been amended to depend from linking claims 4 and 15.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 2-40 are pending and claims 2, 4, 8-14, 16, 17, and 29 are under consideration. Reconsideration is requested.

CONSIDERATION OF CLAIMS 22-24:

On page 3 of the Office Action, the Examiner asserts that claims 3, 5-7, 15, 18-28 and 30 are withdrawn as directed to a non-elected Species, and that no generic claim or linking claim is allowable. As a point of clarification, claim 10 has been indicated as allowable, and claims 22-24 depend from claim 10. As such, it is respectfully requested that the Examiner consider the Species including claims 22-24, which depend from claim 10, pursuant to MPEP 809.04.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action at page 3, the Examiner rejects claims 2 and 14 under 35 U.S.C. §102 in view of Yoshimitsu et al. (Japanese Patent Publication No. 61-74258). This rejection is respectfully traversed and reconsideration is requested.

By way of review, Yoshimitsu et al. discloses, among other features, an electrolytic solution including 1.0 mol/l of LiPF_6 and a solvent mixture. The solvent mixture is of three solvents: 4-methyl-1,3-dioxolane, 1,2-dimethoxyethane, and hexamethyl-phosphoramide which have a volume ratio of 60:34.8:5.2.

In contrast, claim 2 recites, among other features, that “said first solvent is at least one selected from a group consisting of methanol, hexamethyl phosphoramide, ethanol, and isopropanol,” and “the first solvent is roughly between 20% and 80% by weight of the electrolyte.” As such, consistent with the Examiner’s objection to claim 16 on page 4 of the Office Action, it is respectfully submitted that Yoshimitsu et al. does not disclose or suggest the invention recited in claim 2.

For at least similar reasons, it is respectfully submitted that Yoshimitsu et al. does not disclose or suggest the invention recited in claim 14.

In the Office Action at page 4, the Examiner rejects claims 4, 8, 9, 11-13, and 29 under 35 U.S.C. §102 in view of Mao (U.S. Patent No. 5,879,834). This rejection is respectfully traversed and reconsideration is requested.

By way of review, Mao discloses, among other features, an electrolyte 5 including 1M of LiPF_6 salt dissolved in a solvent mixture. The solvent mixture is of ethylene carbonate and diethyl carbonate having a volume ratio of 30/70. An alternative solvent mixture is disclosed as being ethylene carbonate, diethyl carbonate, and ethyl methyl carbonate having a volume ratio of 30/20/50. (Col. 8, lines 20-24, col. 11, lines 7-12).

In contrast, claim 4 recites, among other features, "a first solvent having a dielectric constant that is greater than or equal to 20," and "a second solvent having a viscosity that is less than or equal to 1.3," where "the first solvent is less than 30% by weight of the electrolyte." As such, it is respectfully submitted that Mao does not disclose or suggest the invention recited in claim 4.

For similar reasons, it is respectfully submitted that Mao does not disclose or suggest, among other features, "a first solvent having a polarity high enough to dissolve an ionic compound," and "a second solvent having a viscosity that is less than or equal to 1.3", where "the first solvent is less than 30% by weight of the electrolyte" as recited in claim 11; or "an electrolyte comprising a first solvent having a polarity high enough to dissolve an ionic compound," and "a second solvent having a viscosity that is less than or equal to 1.3," where "the second solvent is more than 70% by weight of the electrolyte" as recited in claim 12.

Claims 8, 9, and 13 are deemed patentable due at least to their depending from corresponding claims 4 and 12.

STATUS OF CLAIMS NOT REJECTED:

On page 4 of the Office Action, the Examiner allows claim 10, and objects to claims 16 and 17 as depending from rejected claims. Since the features of the objected-to claim 16 have been incorporated in claim 14, and since claim 16 has been further amended to differentiate from claim 14 presented herein, it is respectfully requested that the Examiner reconsider the objection to claims 16 and 17.

PATENTABILITY OF NEW CLAIMS:

Claims 32-40 are deemed patentable due at least to their depending from corresponding claims 10 and 14.

CONCLUSION:


In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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